

PATENT  
Attorney Docket 66409

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ALW  
8.8.3.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Schumacher et al. )  
Serial No.: 09/316,539 )  
Filed: May 21, 1999 )  
Title: DEVICE FOR DETERMINING )  
THE ACTIVITY OF )  
ENZYMES IN LIQUIDS )  
Group Art Unit: 1744 )  
Examiner: W. Beisner )

TECHNOLOGY CENTER 1700

AUG 18 2000

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TERMINAL DISCLAIMER

Commissioner of Patents and Trademarks  
ATTENTION: Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

We JOHANNES SCHUMACHER and BERND WERLE, inventors of the above-identified United States Application Serial No. 09/316,539 in the name of Schumacher et al., represent that we and Hans Dieter Papst are the owners of the entire right, title and interest in and to the above-identified United States Application Serial No. 09/316,539. We JOHANNES SCHUMACHER and BERND WERLE (and Hans Dieter Papst) further represent that we are the owners of the entire right, title and interest in U.S. Patent No. 5,935,846 in the name of Schumacher et al. (and Hans Dieter Papst)

We JOHANNES SCHUMACHER and BERND WERLE hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, of U.S. Patent No. 5,935,846. We JOHANNES SCHUMACHER and BERND WERLE (and Hans Dieter Papst) hereby agree that any patent so granted on the instant application, Serial No. 09/316,539, shall be

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July 17, 2000  
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enforceable only for and during such period that it and U.S. Patent No. 5,935,846 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, We JOHANNES SCHUMACHER and BERND WERLE <sup>(and Hans Dieter Papst)</sup> do not disclaim the terminal part of any patent granted on the above-identified application Serial No. 09/316,539, which would extend beyond the expiration date of U.S. Patent No. 5,935,846 in the event such patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole under 35 U.S.C. § 253 and 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term.

In accordance with the fee schedule set forth in 37 CFR 120(d), a check for the required fee of \$110.00 is enclosed.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

July 17, 2000  
(Date)

Johannes Schumacher  
JOHANNES SCHUMACHER

July 25, 2000  
(Date)

Bernd Werle  
BERND WERLE

July 17, 2000

Hans Dieter Papst  
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